

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Robert Langdon	Team: Team # 3	CCRB Case #: 200707180	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 05/16/2007 12:10 AM	Location of Incident: § 87(2)(b)	Precinct: 112	18 Mo. SOL 11/16/2008	EO SOL 11/16/2008	
Date/Time CV Reported Wed, 05/16/2007 12:20 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 05/22/2007 1:29 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. SGT Joseph Matzinger	04091	927158	112 PCT
2. POM John Petzolt	18640	937286	112 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Frank Jurs	21708	936833	112 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Joseph Matzinger	Off. Language: Sgt. Joseph Matzinger made remarks to § 87(2)(b) based upon ethnicity.	§ 87(2)(b)
B.SGT Joseph Matzinger	Off. Language: Sgt. Joseph Matzinger made remarks to § 87(2)(b) based upon religion.	§ 87(2)(b)
C.POM John Petzolt	Force: PO John Petzolt used physical force against § 87(2)(b)	§ 87(2)(b)
D.SGT Joseph Matzinger	Force: Sgt. Joseph Matzinger used physical force against § 87(2)(b)	§ 87(2)(b)

Synopsis

On May 16, 2007, a male complainant named § 87(2)(b) called 911 and stated that at 12:10 AM that day at § 87(2)(b) in Queens, two officers told him, “Go back to Russia.” The complainant was disengaged before he could be connected to IAB. IAB subsequently forwarded this complaint, log no. 07-18731 (Encl. 3a-b), to the CCRB on May 17, 2007.

Sgt. Joseph Matzinger, PO John Petzolt, and PO Frank Jurs entered the § 87(2)(b) in Queens just before midnight on May 15, 2007 in order to conduct a liquor license check. They found alcohol in the restaurant and asked to see a liquor license. They spoke with § 87(2)(b) who is the father of the restaurant’s owners. The civilians interviewed by the CCRB alleged that during the interaction, Sgt. Matzinger made various offensive remarks regarding § 87(2)(b)’s Russian ethnicity, § 87(2)(b) specifically alleging that Sgt. Matzinger said, “Fuck Russia,” and, “Go back to Russia” (**Allegation A**). § 87(2)(b) also alleged that Sgt. Matzinger stated, “If you’re Jewish, go back to Jewish Russia” (**Allegation B**). Sgt. Matzinger decided to arrest § 87(2)(b) for alcohol violations. § 87(2)(b) did not allow himself to be handcuffed, so Sgt. Matzinger and PO Petzolt forcibly grabbed his arms. § 87(2)(b) alleged that the officers then intentionally pushed his head into the wall and were ordered to do so by Sgt. Matzinger (**Allegations C and D**).

§ 87(2)(g)

Summary of Complaint

A medical treatment of prisoner report for § 87(2)(b) dated to May 16, 2007 (Encl. 29a), includes a comment from EMS personnel that § 87(2)(b) was taken to the hospital because he stated that he needed heart medication. The report does not include any indication that § 87(2)(b) was complaining of any other bodily injuries.

On June 14, 2007, the CCRB contacted § 87(2)(b) who is the son of § 87(2)(b) (Encl. 6a). § 87(2)(b) relayed the narrative of his father during this call because § 87(2)(b) did not feel comfortable speaking English. However, as § 87(2)(b) was not present at the incident and was paraphrasing his father’s summary of the incident, it is not clear whether this statement accurately represents the account of § 87(2)(b).

On July 25, 2007, the CCRB interviewed § 87(2)(b) with a Russian interpreter (Encl. 7a-c). According to this interview, § 87(2)(b) stated that on May 15, 2007 at around 11:30 PM, three uniformed officers entered the restaurant at which he was working. These officers asked to speak with the manager and § 87(2)(b) showed the officers his identification. PO1, who § 87(2)(b) described as a 5’11 white male with glasses, asked § 87(2)(b) about liquor bottles in the restaurant, to which § 87(2)(b) responded that they had a license. The CCRB subsequently identified PO1 as Sgt. Joseph Matzinger. The license was sitting on the table and § 87(2)(b) pointed to it. At one point, one of the officers went into the dining area and picked up a bottle, which § 87(2)(b) claimed had been brought by a customer. During their interaction, Sgt. Matzinger asked § 87(2)(b) if he was Jewish, stated, “Fuck Russia,” “Go back to Russia,” and “If you’re Jewish, you should go back to Jewish Russia,” in front of the customers. § 87(2)(b) stated that he then went to try to find his son, but at another point in the interview he said that his sons were not present at the restaurant during the incident. PO2, a 5’7” white male officer with dark hair and PO3, a 5’7” white male officer with reddish hair, grabbed § 87(2)(b)’s arms and twisted them behind his back. The CCRB subsequently identified PO2 as PO John Petzolt and PO3 as PO Frank Jurs. § 87(2)(b) was wringing his hands away from the officers. Either PO Petzolt or PO Jurs then pushed § 87(2)(b)’s head into the wall, which he was ordered to do by Sgt. Matzinger. The

officers then took § 87(2)(b) to the precinct. § 87(2)(b) did not call 911 to file this complaint and does not know who did.

Results of Investigation

Security Camera Footage

§ 87(2)(b) provided computer files containing video footage from three security cameras during the incident. (Encl. 5a) One camera was directed at the rear of the restaurant on the outside, another camera was directed at the main dining area, and another camera was directed at the small service room in the rear. The service area camera showed three officers, Sgt. Matzinger, PO Jurs, and PO Petzolt, enter the restaurant through the rear entrance. Sgt. Matzinger began speaking with § 87(2)(b) then entered the dining area while PO Petzolt and PO Jurs remained in the service area. The dining area camera showed Sgt. Matzinger enter the dining area, pick up a large, clear bottle that was sitting on a table, and return to the service area. The service area camera showed Sgt. Matzinger continue to speak to § 87(2)(b) § 87(2)(b) then entered the dining area, and after a few minutes, Sgt. Matzinger followed after him. § 87(2)(b) and Sgt. Matzinger returned to the service area and continued speaking. At one point, Sgt. Matzinger turned to PO Petzolt and PO Jurs. PO Jurs approached an unidentified man in the kitchen and said something to him. Sgt. Matzinger and PO Petzolt then approached § 87(2)(b) Sgt. Matzinger reached for § 87(2)(b)'s arm and § 87(2)(b) backed away. Sgt. Matzinger and PO Petzolt then grabbed one arm each as § 87(2)(b) started to walk forward. All three moved forward to the bottom edge of the camera's field of vision. It is clear that a struggle occurred, as § 87(2)(b) ducked out of view twice and the officers' arms moved with him. PO Jurs approached closely, but it is not clear whether or not he touched § 87(2)(b) After a few seconds, the officers brought § 87(2)(b) outside as people in the restaurant all followed them. Throughout the whole incident, people milled around the service area. By the time the officers attempted to place handcuffs on § 87(2)(b) at least ten people gathered in the service area and at the door to the dining area. Although there is no sound, the interaction between § 87(2)(b) and Sgt. Matzinger did not seem heated throughout most of the incident, as neither gesticulated or moved rapidly. About ten seconds before the officers handcuffed § 87(2)(b) Sgt. Matzinger pointed firmly at the floor and spoke with more animation.

Civilian Statements

Attempts to ID and Locate Additional Witnesses

§ 87(2)(b)'s son, § 87(2)(b) provided the names and contact information of four witnesses which he collected on the date of the incident after he went to the restaurant. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)'s Telephone Statement

On September 12, 2007, § 87(2)(b) whose name and contact information were provided by § 87(2)(b) provided a telephone statement to the CCRB (Encl. 8a). Both § 87(2)(b) and § 87(2)(b) stated that § 87(2)(b) has no relationship with § 87(2)(b) other than as diners at § 87(2)(b)'s restaurant on the incident date. § 87(2)(b) stated that on the incident date, it was his mother's birthday and his entire family, about 20 to 25 people, was at the restaurant. No one was drinking. Three officers entered the restaurant and spoke with a man who was working there. The man told the officers that he did not understand them. One of the officers said, "If you don't speak English, then go back to your country. This country is for English-speaking people." The officer also said, "I will close this restaurant. I am like king here." The officers then put handcuffs on the man. § 87(2)(b) stated that he did not call 911 to complain about the incident, did not know who did, and did not think it was anyone in his family.

§ 87(2)(b)'s Official Statement

On October 24, 2007, § 87(2)(b) was interviewed at § 87(2)(b) in Queens (Encl. 9a-c). § 87(2)(b) is a § 87(2)(b)-old white male. § 87(2)(b) seemed to have some difficulty understanding the investigator's questions.

§ 87(2)(g)

§ 87(2)(b) stated that a muscular, white male officer who was not very tall and seemed to be in charge said, "If you're not speaking English, go back to Russia. Go to Russia. You will not be in this area, live here, work here." When asked to clarify his exact words, § 87(2)(b) stated that the officer said, "Don't live here" and could not recall if the officer said anything about Russia. Additionally, when putting handcuffs on the arrested man, the officers pushed him forward and pushed the owner's head. The other officers were a white male and a Hispanic male.

§ 87(2)(b)'s Telephone Statement

On September 12, 2007, § 87(2)(b) whose name and contact information were provided by § 87(2)(b) provided a telephone statement to the CCRB (Encl. 10a). § 87(2)(b) stated that he was enjoying a party at the § 87(2)(b) when two uniformed officers came and picked up a closed bottle of vodka, although no one had been drinking. § 87(2)(b) went to the back hallway because he heard a noise. The officers arrested a man § 87(2)(b) thought was the owner. The officers banged his chest against a table when they were trying to handcuff him. § 87(2)(b) could not see clearly because there were many people in his way and he did not hear the officers say anything to the man they arrested.

§ 87(2)(b)'s Telephone Statement

On September 13, 2007, § 87(2)(b) whose name and contact information were provided by § 87(2)(b) provided a telephone statement to the CCRB (Encl. 11a). § 87(2)(b) stated that she was at a party on the incident date when two or three officers came in and started screaming at the owner of the restaurant. An officer said to go back to Russia. Everybody was screaming and the owner was not doing anything.

§ 87(2)(b)'s Unofficial Statement

On October 24, 2007, § 87(2)(b) was interviewed at § 87(2)(b) in Queens, the § 87(2)(b) (Encl. 12a). § 87(2)(b) did not sign a verification form, although her interview was recorded. § 87(2)(b) stated that she was at the § 87(2)(b) on the incident date when two officers entered the restaurant from the back. The officers took the owner and put his arms behind his back. The officers screamed at everyone and took out a baton. One of the officers said, "Go away in Russia," which were his exact words. § 87(2)(b) could not remember what any of the officers looked like.

§ 87(2)(b)'s Telephone Statement

On October 19, 2007, § 87(2)(b) whose name and contact information were provided by § 87(2)(b) provided a telephone statement to the CCRB (Encl. 13a). § 87(2)(b) stated that two or three officers entered the restaurant on the incident date and arrested the owner. She could not hear what the officers said to the owner.

Officer Statements

Sgt. Joseph Matzinger's Memo Book

Sgt. Matzinger's memo book (Encl. 14a-b) indicates that he was working with PO Petzolt and PO Jurs at the time of the incident, but does not contain any record of or reference to the incident.

Sgt. Joseph Matzinger's CCRB Statement

On October 17, 2007, Sgt. Joseph Matzinger was interviewed at the CCRB (Encl. 15a-b). Sgt. Matzinger is a § 87(2)(b)-old white male. Sgt. Matzinger worked from 10:00 PM on May 15, 2007 to 6:57 AM on May 16, 2007. He was assigned to conditions patrol with PO Petzolt and PO Jurs.

Sgt. Matzinger stated that he had visited and issued alcohol-related summonses to the § 87(2)(b) several times before and after the incident date. On May 15, 2007, he, PO Petzolt, and PO Jurs entered the restaurant. Sgt. Matzinger saw bottles of wine and vodka on the premises and asked to speak with § 87(2)(b)'s sons, with whom he had dealt in prior visits to the restaurant. § 87(2)(b) told

Sgt. Matzinger that he was the manager. Sgt. Matzinger asked to see a liquor license, and § 87(2)(b) showed him a temporary application posted on the wall, which does not permit the sale of alcohol. Sgt. Matzinger asked § 87(2)(b) for his identification so that he could issue summonses for the violations. § 87(2)(b) told the officers to wait a minute and then walked away. He continued to mill around for about fifteen minutes. During this time, a crowd of about ten to fifteen people was gathering in the small room in the back in which the officers were located. § 87(2)(b) began to speak to the other people in a language Sgt. Matzinger assumed was Russian. Sgt. Matzinger asked § 87(2)(b) to stop speaking Russian because he did not know if § 87(2)(b) was planning to incite the crowd to harm him or his officers. Sgt. Matzinger told § 87(2)(b) that if he did not provide identification, he would be taken to the precinct. § 87(2)(b) told Sgt. Matzinger to “lock [him] up.” Sgt. Matzinger then asked § 87(2)(b) to put his hands behind his back and § 87(2)(b) refused and held his arms in front of him. Sgt. Matzinger and PO Petzolt grabbed one arm each of § 87(2)(b) while PO Jurs watched the crowd, which was becoming boisterous. The officers then guided § 87(2)(b) to their vehicle. None of the officers ever said, “Fuck Russia,” “Go back to Russia,” nor did any of them ask § 87(2)(b) if he were Jewish or make any comments based on the assumption that he was.

PO John Petzolt’s Memo Book

PO John Petzolt’s memo book (Encl. 16a-b) indicates that he was working with PO Jurs and Sgt. Matzinger on the incident date and time. Entries indicate that he went to the § 87(2)(b) at 12:01 AM on May 16, 2007 and arrested § 87(2)(b) at 12:10 AM. PO Jurs was the arresting officer.

PO John Petzolt’s CCRB Statement

On October 18, 2007, PO John Petzolt was interviewed at the CCRB (Encl. 17a-b). PO Petzolt is a § 87(2)(b) - old white male. PO Petzolt worked from 10:00 PM on May 15, 2007 to 6:35 AM on May 16, 2007. He was assigned to precinct anti-crime with Sgt. Matzinger and PO Jurs.

On May 16, 2007, PO Petzolt went to the § 87(2)(b) to do a liquor license check with Sgt. Matzinger and PO Jurs. The officers entered through the rear entrance and remained in the small service area in the back, but could see bottles of wine and vodka on the tables. The officers asked to speak with the manager and Sgt. Matzinger spoke with § 87(2)(b) who identified himself as the manager. Sgt. Matzinger asked to see the liquor license and § 87(2)(b) s identification. § 87(2)(b) left the area, came back, and left again. Sgt. Matzinger told § 87(2)(b) that if he could not produce identification, he would be taken to the precinct to have his identity verified, as the officers had confirmed that there were violations because of the alcohol bottles. § 87(2)(b) said to Sgt. Matzinger, “Arrest me.” Sgt. Matzinger attempted to place handcuffs on § 87(2)(b) but § 87(2)(b) responded by pulling his hands to his chest and holding them there. Sgt. Matzinger directed PO Petzolt to help apprehend § 87(2)(b). PO Petzolt grabbed § 87(2)(b) s left arm and pulled it behind his back. The officers led § 87(2)(b) out to their van and drove him to the precinct. PO Petzolt did not bang § 87(2)(b) s head against the wall and Sgt. Matzinger did not direct him to do so. Sgt. Matzinger did not ask § 87(2)(b) if he was Jewish, say “Fuck Russia,” or say “Go back to Russia,” although at one point he did ask the people in the restaurant to speak in English.

PO Frank Jurs’s Memo Book

PO Frank Jurs’s memo book (Encl. 17a-d) indicates that he was working with PO Petzolt and Sgt. Matzinger at the incident date and time. An entry indicates that at 12:01 AM, an SLA check was conducted at § 87(2)(b). At 12:09 AM, § 87(2)(b) was arrested for § 87(2)(b). At 12:30 AM, during arrest processing, a bag of marijuana was recovered from § 87(2)(b) s wallet.

Arrest Report for § 87(2)(b) signed by PO Frank Jurs

The arrest report (Encl. 19a-b) indicates that § 87(2)(b) was arrested for § 87(2)(a) 160.50

Physical force was used to restrain/control/remove § 87(2)(b)

Criminal Court Complaint and Supporting Deposition signed by PO Frank Jurs

The criminal court complaint and supporting deposition for § 87(2)(b) (Encl. 20a-b) states that § 87(2)(b) committed the offenses of § 87(2)(a) 160.50

PO Frank Jurs's CCRB Statement

On December 5, 2007, PO Frank Jurs was interviewed at the CCRB (Encl. 21a-b). PO Jurs is a § 87(2)(b)-old white male. PO Jurs worked from 10:00 PM on May 15, 2007 to 6:35 AM on May 16, 2007. He was assigned to conditions patrol with Sgt. Matzinger and PO Petzolt.

On May 15, 2007, PO Jurs conducted a State liquor check with Sgt. Matzinger and PO Petzolt at § 87(2)(b) which is the § 87(2)(b). The officers entered through the rear of the restaurant and saw bottles of wine and vodka on the tables and patrons were drinking them. The officers asked to speak to whomever was in charge. § 87(2)(b) approached the officers and identified himself as the acting manager. Sgt. Matzinger and PO Petzolt spoke with § 87(2)(b). The officers asked § 87(2)(b) for his identification. § 87(2)(b) left for ten minutes, returned, and the officers again asked him for his identification. § 87(2)(b) was speaking with the other people in the back room in another language. Sgt. Matzinger asked the people in the area to speak English. Sgt. Matzinger advised § 87(2)(b) that if he did not provide his identification, he would be brought into the precinct to verify it. § 87(2)(b) said something to the effect of, "Arrest me." Sgt. Matzinger approached § 87(2)(b) to place handcuffs on him, but § 87(2)(b) kept his hands in front of him. § 87(2)(b) did not resist in any way besides keeping his hands in front of him. He did not flail his arms or walk away, and at no point did his head hit the wall. PO Petzolt assisted Sgt. Matzinger in handcuffing § 87(2)(b) after which he was brought outside and to the precinct. Sgt. Matzinger did not ask § 87(2)(b) if he was Jewish, say "Fuck Russia," or say "Go back to Russia."

Communications Records

The **SPRINT** (Encl. 22a-b) indicates that the 112th conditions sergeant arrested an individual at § 87(2)(b) at 12:009 AM. The SPRINT continues until 7:34 AM apparently because a final disposition was not provided by the sergeant until then, although there is no indication that anything happened in regards to the job after the initial arrest.

Police Documents

The **112th Precinct roll call** (Encl. 23a-b) indicates that on May 16, 2007, PO Jurs, PO Petzolt, and Sgt. Matzinger worked a conditions assignment.

The **112th Precinct command log** (Encl. 24a) records that § 87(2)(b) was arrested at 12:09 AM and brought to the precinct. His arresting officer was PO Jurs. His condition was apparently normal and uninjured. He was brought to § 87(2)(b) because he needed heart medication.

The **112th Precinct prisoner holding pen roster** (Encl. 25a) indicates that § 87(2)(b) was brought in at 12:09 AM, guarded by PO Jurs, and taken to § 87(2)(b)

The **arrest photo of** § 87(2)(b) (Encl. 26a) shows no visible injuries on his head, which has little hair on it.

The **medical treatment of prisoner report for** § 87(2)(b) (Encl. 29a) indicates that he was taken to § 87(2)(b) by PO Petzolt at § 87(2)(b) because he stated that he needed heart medication.

Status of Criminal Court Case

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

At the time of his CCRB statement, § 87(2)(b) stated that the charges relating to the arrest were dropped when he went to court the day after the incident.

Criminal History of Civilian

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

CCRB History of Subject Officers

In two years with the NYPD, PO Petzolt has had no CCRB allegations substantiated against him. (Encl. 1a)
In seven years with the NYPD, Sgt. Matzinger has had no CCRB allegations substantiated against him. (Encl. 2a)

Conclusions and Recommendations

Officer Identification

PO Petzolt and PO Jurs both had entries for the arrest of § 87(2)(b) in their memo book. PO Petzolt, PO Jurs, and Sgt. Matzinger all confirmed that they were involved in the incident in their CCRB statements.

§ 87(2)(g) § 87(2)(b) stated that the officer who made the offensive remarks seemed to be in charge and was significantly taller than the other two, who were about the same height. Sgt. Matzinger is 6'2" and PO Petzolt and PO Jurs are both 5'9". In addition, the security camera footage clearly shows that Sgt. Matzinger was the officer who was verbally interacting with § 87(2)(b). The other civilians could not provide officer descriptions to match their allegations.

§ 87(2)(g) although § 87(2)(b) claimed the officers that physically apprehended him were the two shorter officers who were being commanded by the taller officer, the security camera footage clearly shows that Sgt. Matzinger and PO Petzolt were the officers who approached § 87(2)(b) and grabbed his arms.

Undisputed Facts

It is not disputed whether Sgt. Matzinger, PO Petzolt, and PO Jurs entered the § 87(2)(b) at the incident date and time, asked § 87(2)(b) to see the business's liquor license, and arrested § 87(2)(b) for alcohol violations. It is not disputed that § 87(2)(b) would not let the officers handcuff him, and therefore the officers used physical force to put the handcuffs on him.

Disputed Facts

§ 87(2)(g)

Credibility Analysis

§ 87(2)(g) He claimed that his son was arguing with the officers, but at another point stated that his son was not in the restaurant at the time of the incident. § 87(2)(b) also stated that one of the shorter officers had red hair, whereas both of the shorter officers had dark hair and the taller officer had red hair. He also stated that the two shorter officers were the ones who grabbed his arms when the camera footage clearly shows that it was Sgt. Matzinger, the taller officer, and PO Petzolt who grabbed his arms in attempt to handcuff him. § 87(2)(g)

§ 87(2)(g)

The witnesses' names and contact information were all provided to the CCRB by § 87(2)(b)'s son. § 87(2)(b)'s statements differ significantly in the remarks the officer made. In his official statement, § 87(2)(b) made the allegation that an officer said, "I will close this restaurant. I am like king here," an allegation made by him alone. § 87(2)(b) stated that the officer's remarks were still different from either of § 87(2)(b)'s statements. Additionally, § 87(2)(b) alleged that the officer took out his baton, which is not corroborated by anyone else's statement or the camera footage. Both § 87(2)(b) and § 87(2)(b) claim that no one in the party was drinking when the camera footage shows at least one bottle of what is probably vodka on one of the tables occupied by the group. § 87(2)(g)

§ 87(2)(g)

Allegation A: Sgt. Joseph Matzinger made remarks to § 87(2)(b) based upon ethnicity.

§ 87(2)(b) and the unidentified complainant all alleged that an officer identified by the CCRB as Sgt. Matzinger made some sort of remark along the lines of "Go back to Russia." All accounts varied as to the exact wording of the remark, with "Fuck Russia," "Go away in Russia," and "If you don't speak English, then go back to your country. This country is for English-speaking people" all stated by various civilians. § 87(2)(g)

In his CCRB statement, Sgt. Matzinger noted that at one point he asked § 87(2)(b) to stop speaking Russian to the gathering crowd. The security camera footage confirmed that a crowd was gathering near the officers and § 87(2)(b) and that the people in the crowd seemed to be speaking to both § 87(2)(b) and the officers and gesturing in disapproval. § 87(2)(g)

§ 87(2)(g)
[REDACTED]

Allegation B: Sgt. Joseph Matzinger made remarks to § 87(2)(b) based upon religion.
§ 87(2)(b) stated that an officer identified as Sgt. Matzinger asked him if he were Jewish and told him, “If you’re Jewish, you should go back to Jewish Russia.” None of the other witnesses stated that any of the officers said anything about § 87(2)(b) being Jewish. § 87(2)(g)
[REDACTED]

Allegation C: PO John Petzolt used physical force against § 87(2)(b)
Allegation D: Sgt. Joseph Matzinger used physical force against § 87(2)(b)
As § 87(2)(b) admitted that he did not allow the officers to handcuff him, Sgt. Matzinger and PO Petzolt were justified in grabbing § 87(2)(b) s arms and attempting to forcibly bring them behind his back. However, § 87(2)(b) also alleged that the officers intentionally pushed his head against the wall when attempting to arrest him and that Sgt. Matzinger ordered the officers to do so. According to the video footage, when Sgt. Matzinger and PO Petzolt attempt to handcuff § 87(2)(b) by grabbing his arms, § 87(2)(b) moves forward so that he is out of the view of the security camera, § 87(2)(g)
[REDACTED]

Investigator:	Date:
Supervisor:	Date:
Reviewed by:	Date:

Reviewed by:

Date: